

Hon. James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

615 SW AMBAUM CONDO
ASSOCIATION,

Plaintiff,

v.

ASPEN SPECIALTY INSURANCE
COMPANY,

Defendant.

NO. 2:23-cv-00571-JLR

STATUS REPORT AND SECOND
STIPULATED MOTION AND
[PROPOSED] ORDER TO STAY

NOTED ON MOTION CALENDAR:
NOVEMBER 30, 2023

STIPULATION

Plaintiff 615 SW Ambaum Condo Association (“Ambaum”) and Defendant Aspen
Specialty Insurance Company (“Aspen”), stipulate and agree as follows:

1. Ambaum is the association of owners who own condominiums in a building located
at 615 SW Ambaum Boulevard, Burien, King County, Washington (“Condo”).
2. This is an insurance coverage lawsuit arising from a March 13, 2021 fire at the
Condo.
3. Aspen provided property insurance coverage to Ambaum for the March 13, 2021 fire.

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GORDON TILDEN THOMAS CORDELL	600 University Street Suite 2915 Seattle, WA 98101 206.467.6477
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- 1 4. Ambaum filed a Complaint in King County Superior Court against Aspen seeking
2 additional payment under the Aspen policy resulting from the fire.
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- 4 5. Aspen timely removed this lawsuit to federal court.
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- 6 6. Ambaum filed suit solely to preserve its rights under the Aspen insurance policy,
7 which contains a provision stating that suit must be filed within two years after the
8 date of loss.
9
- 10 7. Ambaum filed suit before the repairs to the Condo were complete solely to avoid
11 waiving rights against Aspen.
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- 13 8. As a result, Ambaum's insurance claim remains pending and is still being adjusted,
14 and this case is not ripe for final resolution.
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- 16 9. Ambaum has not yet been able to move forward with sale or replacement of the
17 property due to delays beyond its control caused by the death of one of the unit
18 owners and a foreclosure related to another unit.
19
- 20 10. Ambaum's inability to move forward with sale or replacement of the property as
21 described above has delayed the parties' ability to move forward with adjusting
22 Ambaum's insurance claims.
23
- 24 11. Ambaum and Aspen ask the Court to stay this matter for an additional six months,
25 until May 30, 2024, to allow Ambaum additional time to move forward with sale or
26 replacement of the property.
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- 28 12. If the Court enters the requested stay, Ambaum and Aspen stipulate that they will not
29 take any action related to this lawsuit without Court approval until May 30, 2024, at
30 which time they will (1) advise the Court that this case is ripe for resolution and/or
31 litigation or (2) request a continuance of the stay.
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1 13. Either party may ask the Court to terminate this stay upon 30 days' written notice to
2
3 the other party.
4

5
6 DATED this 30th day of November, 2023.
7

8 **GORDON TILDEN THOMAS & CORDELL LLP**
9 Attorneys for Plaintiff

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11 By s/ Kasey D. Huebner

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18 DATED this 30th day of November, 2023.
19

20 **PREG O'DONNELL & GILLET PLLC**
21 Attorneys for Defendant

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23 By s/ Justin E. Bolster

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30 DATED this 30th day of November, 2023.
31

32 **LOBMAN, CARNAHAN, BATT, ANGELLE &**
33 **NADER**

34 Attorneys for Defendant

35
36 By s/ Charles R. Rumbley

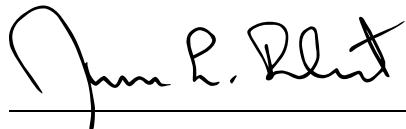
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[PROPOSED] ORDER

This matter is stayed until May 30, 2024. On or before May 30, 2024, the parties will (1) advise the Court that this case is ripe for resolution and/or litigation or (2) request a continuance of the stay for good cause.

Either party may ask the Court to terminate this stay upon 30 days' written notice to the other party.

DATED this 1st day of December, 2023.



The Honorable James L. Robart
U.S. District Court Judge